

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

| | | |
|---------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | No. 3:06-00147 |
| |) | Senior Judge Echols |
| JERRY C. PENDERGRASS |) | |

MOTION TO CONTINUE SENTENCING HEARING

COMES NOW the Defendant, **Jerry C. Pendergrass**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order granting a 45 day continuance of the Sentencing Hearing presently scheduled for March 14, 2008 at 9:00 a.m. (Docket Entry 136). In support hereof, Defendant Pendergrass states as follows:

1. The Sentencing Hearing in the above-captioned matter is presently scheduled for March 14, 2008 at 9:00 a.m.
2. The date for U.S. Probation to disclose the Presentence Investigation Report to the parties is rapidly approaching. However, because of the extremely complex nature of Defendant Pendergrass' financial situation, both USPO Lochmaier and counsel for Defendant Pendergrass need additional time to finish gathering and synthesizing financial records and supporting documentation. A continuance of 45 days from the March 14, 2008 Sentencing Hearing date should facilitate the record gathering process and insure the accuracy and completeness of the financial information provided to the Court.
3. AUSA Jimmie Lynn Ramsaur has authorized undersigned counsel to report that the government does not oppose a 45 day continuance of the Sentencing Hearing.

4. USPO Debbie Lochmaier concurs that the requested 45 day continuance is necessary for the record gathering process.

WHEREFORE, based on the foregoing, Defendant Pendergrass respectfully requests that this Honorable Court enter an Order granting a 45 day continuance of Sentencing Hearing scheduled for March 14, 2008 at 9:00 a.m.

Respectfully submitted,

HODDE & ASSOCIATES

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BY: s/ Peter J. Strianse (by permission)
PETER J. STRIANSE
Attorney for Defendant Pendergrass

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent via the Court's electronic filing system, *or*, if not registered, sent via U.S. Mail, postage prepaid, to:

Jimmie Lynn Ramsaur
Assistant United States Attorney
110 Ninth Avenue South
Suite A961
Nashville, TN 37203

Debbie Lochmaier
U.S. Probation Officer
110 9th Avenue South, Suite A725
Nashville, TN 37203-3899

this 1st day of February, 2008.

s/ Kimberly S. Hodde
KIMBERLY S. HODDE